

EXHIBIT N

4/22/14



August 22, 2014

VIA EMAIL

Dyan Finguerra-DuCharme
DFinguerra-DuCharme@pryorcashman.com
Pryor Cashman LLP
7 Times Square
New York, NY 10036-6569

Re: Samsung Milk Music

Dear Dyan:

This is in response to your letter dated July 17, 2014 regarding Samsung's use of MILK and MILK MUSIC for its streaming music radio services, and our subsequent conversations regarding a possible resolution of this matter. Although Samsung has carefully considered your client's concerns, Samsung believes, for the reasons set forth below, that there will be no likelihood of confusion between its use of MILK or MILK MUSIC for streaming radio services, and your client's use of MILK for providing event spaces, MILK MADE for a web site featuring mews, commentary, videos and photographs in the fields of music, entertainment and art; and MILK GALLERY for providing event spaces.

Samsung strongly disagrees that its radio streaming service is related to any music related services offered by Milk Studio. For example, while visitors to the milkmade.com web site may be able to view and listen to various music videos, this is different from a user listening to music that is automatically and continuously streamed as a radio service to a smart phone device. Furthermore, all use of the MILK MUSIC radio streaming service is promoted for use with Samsung Galaxy smart phone devices, which further limits any potential confusion. For example, the commercial referred to in your letter is constantly intercut with views of a Samsung Galaxy smart phone device and shows a user manipulating the Samsung device to switch between "channels" of the MILK MUSIC radio application. Thus, we are confident that consumers will not mistakenly believe that Samsung's Milk Music streaming radio service for its Galaxy smart phones is somehow affiliated with Milk Studios.

Finally, as mentioned in our April 2, 2014 letter, MILK is a diluted term, especially in connection with music. Consumers are therefore already conditioned to look for other source identifiers to distinguish between the many co-existing uses of MILK for music related services. Accordingly, Samsung's promotion and use of its MILK MUSIC streaming music radio service in connection with Samsung branded devices is sufficient to minimize any potential likelihood of confusion.

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3/14/14

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Peter A. Sullivan
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March 14, 2014

VIA COURIER

Samsung Electronics Co., Ltd
Attn: Chief Legal Officer
129, Samsung-ro, Yeongtong-gu
Suwon-si, Gyeonggi-do
Republic of Korea

Re: Milk Music

Dear Sir or Madam:

We represent Milk Studios, LLC ("Milk"). Milk began operations in 1995 in the Meatpacking District of New York City. Today, it has become a cultural hub in the world of fashion, media and lifestyle, and a source for cutting edge photography, music, and video.

Milk and its "Milk" brands are synonymous with the latest and most innovative initiatives in music and art. The Milk Made website offers a showcase for the Milk community's latest creative output, including music, video, and other online content.¹ Among other things, Milk Made users can read interviews with musicians and artists, stream playlists, and watch music videos. Prior to the release of their latest album, for example, Arcade Fire released a music video teaser exclusively through the Milk Made website.

Milk also hosted the first ever Creators Project, a day-long event sponsored by Intel and VICE that featured the work of leading international artists and musical performances, including M.I.A. and Interpol.² When Kanye West threw a listening party for the release of his critically acclaimed "Yeezus" album, he chose Milk as the place to host it.³ Hot off of an Oscar win, Grammy-winner Jared Leto announced his band's new tour with Linkin Park at a press

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1. Milk Made "<http://www.milkmade.com>"
 2. "The Creators Project Takes Over Milk Studios" <http://www.wmagazine.com/culture/art-and-design/2010/06/creators-project-milk-studios/>
 3. "Kanye West Previews Monstrous New Album 'Yeezus' at New York City Party" <http://www.spin.com/articles/kanye-west-yeezus-preview-milk-studios/>

conference at Milk Studios in Los Angeles.⁴ Artists also perform in Milk's "Jam Room," its own underground music venue; you can watch music videos filmed in the Jam Room on the Milk Made website. The Kills, Patti Smith, Michael Stipe, Cyndi Lauper, and Mark Ronson, to name just a few more artists, have performed at a Milk venue.

Milk's status as a vanguard launching pad includes the latest in media and technology. Milk and the website Tumblr have partnered up to deliver unique coverage of New York Fashion Week.⁵ Microsoft selected Milk Studios as the venue to unveil its Surface tablet in a highly publicized launch.⁶ The next generation Xbox One release took place at star-studded events at Milk's New York and Los Angeles spaces.⁷

One of Milk's more recent endeavors is Made Fashion Week. This has become the must-attend event for Fashion Week in NYC. Milk and Made Fashion Week have helped propel the careers of designers such as Alexander Wang, Peter Som, Joseph Altuzarra and Proenza Schouler. Style Magazine calls Milk Studios "New York Fashion Week's most happening hub."⁸ The New York Times referred to the events held at Milk Studios as a "hipper, purer event" than the competing Fashion Week events.⁹ So famous and popular has this event become that Zagat, the popular restaurant review guide, has a special section on Milk Studios: "NYFW: Where to Eat Near Milk Studios."¹⁰

Milk Studios and the Milk family are a part of the creative process. Through its sister company, LEGS, Milk has worked with culturally embedded artists like Thom Yorke to create music videos and other video art, including Florence and the Machine's VMA winning video for "The Dog Days are Over." Famous photographers like Terry Richardson and Craig McDean can be found working in one of the studios on their latest productions. Celebrities in the world of art, music, fashion and entertainment are common fixtures in the studios,

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4. "Jared Leto and 30 Seconds to Mars Announce Summer Tour with Linkin Park, AFI" <http://variety.com/2014/music/news/jared-letto-and-30-seconds-to-mars-announce-summer-tour-with-linkin-park-afi-1201127346/>
 5. "Tumblr Taps Bloggers for New York Fashion Week: Take Two!" <http://betabeat.com/2012/02/tumblr-new-york-fashion-week-bloggers-milk-studio-02082012/>
 6. "Microsoft's 'major' media event to take place at Milk Studios" <http://articles.latimes.com/2012/jun/18/business/la-fi-tn-microsoft-event-20120618>
 7. "deadmau5, DJ Idris headline Xbox One L.A. launch party" <http://articles.latimes.com/2013/nov/21/entertainment/la-et-ct-deadmau5-dj-idris-xbox-one-20131121>.
 8. "MADE in the U.S.A." http://www.style.com/trendsshopping/stylenotes/040113_Style_Print_MADE_Milk_Studios/
 9. "Rival Shows Vie for Relevancy in Fashion Week," http://www.nytimes.com/2014/02/10/business/rival-shows-vie-for-relevancy-in-fashion-week.html?_r=0
 10. "NYFW: Where to East Near Milk Studios." <http://www.zagat.com/l/new-york-city/nyfw-where-to-eat-near-milk-studios>

conducting photo shoots, producing videos, attending gallery events or enjoying parties at Milk Studios. One writer posed the question, “NYFW: is Milk Studios the New Studio 54?”¹¹

Even royalty and world leaders come to Milk. Prince Harry and Prime Minister David Cameron, along with a host of dignitaries and corporate executives, participated in an event at Milk Studios to promote the UK as a place in which to study, visit and do business.¹²

This brings me to the subject of our letter. Milk has learned that Samsung recently launched a music service that it has named “MILK MUSIC.” Representatives at Milk first learned of the service through communications with current and potential business partners inquiring about the new “relationship” with Samsung. To the extent that you are not aware, Milk owns numerous trademark registrations for the “MILK” and “MILK MADE” mark in the United States Patent and Trademark Office (“PTO”) covering galleries and exhibits for the launching of new products in the field of music, and also for websites featuring content in the area of music, among others. (Copies of those trademark registrations are attached here as Exhibit 1.) Milk has offered information and commentary on the music scene for years, and has showcased music for use in connection with its production services.

The existence of Milk and the nature of the products and services that it provides should not come as a surprise to Samsung. Milk executives have conducted business with Samsung representatives at various levels of seniority. Samsung used Milk LA to launch its Samsung Infuse 4G.¹³ In 2012, Samsung sponsored two events at Milk Studios in New York, including The Ground Collective exhibit in September 2012. Samsung entered into a non-disclosure agreement with Made Fashion Week to use the Milk Studios’ event space, and in 2013, Samsung inquired into sponsoring a Made Fashion Week event. Samsung is no stranger to the Milk name.

We understand why Samsung would choose a name like Milk to brand its new music streaming business. The name is associated with a cultural hub for edgy music, art and fashion produced by both up-and-coming and world famous directors and performers. That is because Milk built that brand identity, spending tremendous resources cultivating the Milk name in the arts, music, fashion and media industries. Samsung appears to be looking to capitalize on this buzz.

We write to express our concerns about Samsung’s actions. Samsung’s marks and goods/services are so close to the “MILK” marks that we are concerned that consumers are likely to mistakenly believe (as some already have) that there is some kind of sponsorship or relationship. We are also concerned that the use of the mark is likely to weaken the rights that our client has built up in its famous mark.

11. “NYFW: is Milk Studios the New Studio 54?” <http://www.elle.com/news/fashion-style/milk-studios-kendrick-lamar-party>

12. “Prince Harry and David Cameron in New York to promote UK” (May 14, 2013). <http://www.bbc.com/news/uk-22533414>.

13. “Nicki Minaj Rocks Samsung Infuse 4G Launch at Milk Studios (May 13, 2011). <http://hopeinalostworld.blogspot.com/2011/05/nicki-minaj-rocks-samsung-infuse-4g.html>

We request a meeting to discuss a path forward for the two companies that does not diminish or dilute in anyway the fame that Milk has engendered in its brand. Please let us know when you are available for a meeting in New York at your earliest convenience. This letter is sent without waiver of any claims, causes of action, damages, equitable relief, attorney's fees and defenses available to protect our client's rights, all of which are hereby reserved.

Very truly yours,

A handwritten signature in black ink, appearing to read 'P. Sullivan', written over a horizontal line.

Peter A. Sullivan

Enclosures

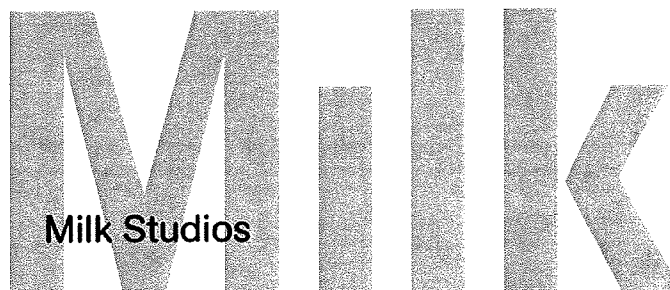
cc: Diane J. Mason, Esq.
LeClairRyan LLP
44 Montgomery St., Fl. 18
San Francisco, CA 94104

Samsung Electronics America Inc.
Attn: Mr. Gregory Lee, President and CEO
85 Challenger Road
Ridgefield Park, NJ 07660

Exhibit 1

United States of America

United States Patent and Trademark Office



Reg. No. 3,324,347

MILK STUDIOS, LLC (DELAWARE LIMITED LIABILITY COMPANY)

Registered Oct. 30, 2007

450 WEST 15TH STREET
NEW YORK, NY 10011

Corrected Dec. 31, 2013

FOR: PHOTOGRAPHY STUDIO; RENTAL OF PHOTOGRAPHIC EQUIPMENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

Int. Cl.: 41

FIRST USE 4-1-1996; IN COMMERCE 4-1-1996.

SERVICE MARK

NO CLAIM IS MADE TO THE EXCLUSIVE RIGHT TO USE "STUDIOS", APART FROM THE MARK AS SHOWN.

PRINCIPAL REGISTER

SER. NO. 78-906,835, FILED 6-13-2006.



Deborah S. Cohen

Commissioner for Trademarks of the
United States Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

Requirements in the First Ten Years*

What and When to File:

First Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. See 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

Second Filing Deadline: You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between the 9th and 10th years after the registration date.*
See 15 U.S.C. §1059.

Requirements in Successive Ten-Year Periods*

What and When to File:

You must file a Declaration of Use (or Excusable Nonuse) and an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.*

Grace Period Filings*

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

The United States Patent and Trademark Office (USPTO) will NOT send you any future notice or reminder of these filing requirements.

***ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the USPTO. The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. See 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. See 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.

United States of America

United States Patent and Trademark Office

MILK

Reg. No. 3,312,318

Registered Oct. 16, 2007

Corrected Dec. 3, 2013

Int. Cls.: 35 and 41

SERVICE MARK

PRINCIPAL REGISTER

MILK STUDIOS, LLC (DELAWARE LIMITED LIABILITY COMPANY)
450 WEST 15TH STREET
NEW YORK, NY 10011

FOR: GALLERY FOR ART EXHIBITS; CONDUCTING AND PROVIDING FACILITIES FOR TRADE SHOW EXHIBITIONS AND FOR LAUNCHING NEW PRODUCTS FOR OTHERS IN THE FIELDS OF ART, PHOTOGRAPHY, BEAUTY PRODUCTS, PRINT PUBLICATIONS, AUTOMOBILES, ELECTRONICS, FILMS, MUSIC, AND FASHIONS, IN CLASS 35 (U.S. CLS. 100, 101 AND 102).

FIRST USE 4-1-1996; IN COMMERCE 1-1-2004.

FOR: PHOTOGRAPHY STUDIO; RENTAL OF PHOTOGRAPHIC EQUIPMENT, IN CLASS 41 (U.S. CLS. 100, 101 AND 107).

FIRST USE 4-1-1996; IN COMMERCE 4-1-1996.

THE MARK CONSISTS OF STANDARD CHARACTERS WITHOUT CLAIM TO ANY PARTICULAR FONT, STYLE, SIZE, OR COLOR.

SER. NO. 78-906,894, FILED 6-13-2006.



Deborah S. Cohn

Commissioner for Trademarks of the
United States Patent and Trademark Office

**PRYOR CASHMAN LLP**

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Dyan Finguerra-DuCharme

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DFinguerra-DuCharme@pryorcashman.com

July 17, 2014

VIA E-MAIL (DIANE.MASON@LECLAIRRYAN.COM)

Diane J. Mason, Esq.
LeClair Ryan
44 Montgomery Street
Eighteenth Floor
San Francisco, CA 94104

Re: Continued Infringement of MILK® Family of Marks

Dear Ms. Mason:

We represent Milk Studios, LLC ("Milk"). We have reviewed the prior correspondence concerning Samsung Electronics Company Ltd.'s ("Samsung") use of the MILK MUSIC trademark. Since your letter of April 2, 2014, Milk has learned that Samsung has expanded its use beyond the MILK MUSIC mark and has adopted, and applied to register, MILK as a standalone mark. For example, Samsung recently launched a commercial that identifies its service as simply "MILK." Use of the term MILK in connection with music services, whether as a standalone mark or combined with additional terms, is in direct contravention of Milk's trademark rights.

In particular, Milk owns several federal registrations for MILK formative marks including the following:

- MILK, Reg. No. 3,312,318 for Class 35 *conducting and providing facilities for trade show exhibitions and for launching new products for others in the fields* of art, photography, beauty products, print publications, automobiles, electronics, films, *music* and fashion, among other services
- MILK MADE, Reg. No. 4,446,172 for Class 41: *Providing a website featuring news, commentary, non-downloadable videos and photographs in the fields of music, entertainment and art; online journals, namely, blogs and online columns in the fields of* fashion, beauty, *music, entertainment* and art, among other services



Diane J. Mason, Esq.

July 17, 2014

Page 2

- MILK GALLERY, Reg. No. 3,307,081 for Class 35 *conducting and providing facilities for trade show exhibitions and for launching new products for others in the fields of* art, photography, beauty products, print publications, automobiles, electronics, films, *music* and fashions, among other services

See also MILK MILK STUDIOS, Reg. No. 3,324,347; MILK EQUIPMENT RENTAL & Design, Reg. No. 3,236,886. In addition to its federal registrations, Milk has also developed strong common law rights in the mark MILK in connection with a wide variety of services in the field of music. As you know, Milk uses the standalone mark MILK on its websites, in social media and in marketing materials. Milk has posted over 18,000 tweets and has over 92,000 followers on Twitter. On its <milkstudios.com> website and in social media, including Twitter, Facebook and Instagram, Milk's user name appears as MILK:



Without doubt, Milk is in the music space. Milk's consumer-facing website, located at <milmade.com>, features interviews with musicians and artists and music videos and allows consumers to stream playlists. In its physical space, Grammy-award winning artists use Milk's facilities to launch new albums, announce tours and film music videos. Through Milk's extensive use of the MILK mark since at least as early as 1996 in connection with music-related services, Milk has developed strong common law rights in its MILK mark and the brand has become a substantial commercial asset.

We understand that Samsung has filed several trademark applications for MILK & Design and other MILK formative marks including MILK MUSIC, MILKMUSIC.COM and SAMSUNG MILK MUSIC for use in connection with various goods and services in the field of music (the "Infringing MILK Marks"). In flagrant disregard of Milk's prior rights, Samsung is using MILK as a standalone mark as reflected in these applied-for designs and in its recent commercials:



These infringements are egregious and cannot be tolerated by Milk.



Diane J. Mason, Esq.

July 17, 2014

Page 3

Samsung's use of the Infringing MILK Marks in connection with streaming music and music videos, among the other identified goods and services – especially when only “MILK” is used – is likely to cause confusion among consumers regarding the source of “Milk” branded services. In fact, Milk has received several inquiries concerning an assumed affiliation with Samsung's new service, which demonstrates that actual confusion has already begun in the marketplace. For these reasons, Samsung's use of the Infringing MILK Marks in connection with its unauthorized goods and services constitutes, *inter alia*, trademark infringement and unfair competition in violation of Sections 32(1) and 43(a) of the Lanham Act under theories of both forward confusion and reverse confusion. We have little doubt that a jury would find that Samsung's blatant disregard of Milk's prior rights was willful, subjecting Samsung to treble damages, attorneys' fees and costs.

Milk takes violations of its intellectual property very seriously. Milk has asked us to contact you in an effort to resolve this matter promptly and amicably. To that end, please provide us with your written assurance that Samsung will immediately:

1. expressly abandon U.S. Trademark Applications Serial Nos. 86/205,388; 86/205,390; 86/194,116; 86/194,119; and 86/194,122;
2. cease advertising, promoting, marketing, displaying and offering any goods and services using the Infringing Marks, including but not limited to the marks identified in the applications listed in Paragraph 1 above, or any other mark colorably similar to MILK, including, but not limited to, as the name of any products or services, in all advertising (print, radio, television, Internet etc.), and on all social media, such as Facebook, Instagram, Twitter and Tumblr;
3. abandon any plans to use the Infringing Marks mark in connection with any goods or services; and
4. abandon any plans to use the term MILK in connection with any goods or services.

Milk has spent considerable sums of money, resources and effort developing its valuable rights in the MILK brand and family of marks. Please confirm by July 25, 2014 that Samsung will comply with the above demands, failing which our client will pursue appropriate remedies.



Diane J. Mason, Esq.
July 17, 2014
Page 4

The foregoing is not intended to be a comprehensive statement of our client's position and is without prejudice to its rights and remedies, all of which are expressly reserved.

Very truly yours,

A handwritten signature in cursive script, appearing to read "Dyan Finguerra-DuCharme".

Dyan Finguerra-DuCharme

cc: Tom J. Ferber



4/2/14

April 2, 2014

VIA E-MAIL (Sullivan@hugheshubbard.com)

Peter A. Sullivan
Hughes Hubbard & Reed LLP
One Battery Park Plaza
New York, NY 10004-1482

Re: Use of MILK MUSIC by Samsung

Dear Mr. Sullivan:

This is in response to your letter dated March 14, 2014, regarding Milk Studios, LLC's concerns about Samsung Electronics Company, Ltd.'s use and applications for MILK MUSIC. As you are aware, Samsung recently launched a music streaming service under the mark MILK MUSIC. The music streaming service is currently limited to owners of certain Samsung smart phones, and is not otherwise available to the public.

Samsung's preliminary investigation of the mark MILK revealed numerous uses of the mark for services related to music. For example, there are musical groups that have the term MILK as part of their name, as well as third party radio programs that use MILK as part of their name. Furthermore, we are aware of Milq, Inc., a social media site that allows users to post music videos and comment on the same. Accordingly, the term MILK for services related to music is not unique and is somewhat diluted.

Please be assured that in adopting the name MILK MUSIC for its radio streaming services, there was no intent on Samsung's part to trade on any success or renown that Milk Studios may have. Instead the name MILK MUSIC was chosen to convey the idea that Samsung's service offers a fresh take on music. Furthermore, after some investigation, it was determined that no one at Samsung who may have been involved with conducting business with Milk Studios or other Milk Group entities was discussed Milk Studios or Milk Made with anyone responsible for the branding of MILK MUSIC. In fact, it appears that anyone who was involved with the events held at Milk Studio's spaces has since left Samsung and had no involvement with the development, branding or roll-out of Samsung's MILK MUSIC streaming music services.

Finally, we note that Milk Studios does not appear to offer music streaming services or to even offer the purchase of music. In contrast, Samsung's MILK MUSIC service streams music to owners of Samsung devices. Given the difference in the offered services, the fact that Samsung's MILK MUSIC service is only offered to owners of Samsung devices, as well as the dilution of the mark MILK in

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ATTORNEYS AT LAW \ WWW.LECLAIRRYAN.COM

Peter A. Sullivan
April 2, 2014
Page 2

connection with music related services, any likelihood of confusion between the coexisting uses of MILK STUDIO and MILK MADE for event spaces and hosting of music events and MILK MUSIC for music streaming services is likely to be minimal.

We hope we have addressed your client's concerns. Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Diane J. Mason". The signature is fluid and cursive, with the first name "Diane" and last name "Mason" clearly distinguishable.

Diane J. Mason
Attorney at Law

FW: Milk / Samsung

Ferber, Tom J. [TFerber@PRYORCASHMAN.com]

Sent: Friday, July 25, 2014 1:54 PM

To: Daniel Schulman

Cc: Finguerra-DuCharme, Dyan [DFinguerra-DuCharme@PRYORCASHMAN.com]

7/25/14

Dan-

See below from Samsung's counsel

Tom J. Ferber
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(Fax) 212-798-6388
tferber@pryorcashman.com
www.pryorcashman.com

From: Mason, Diane J. [mailto:Diane.Mason@leclairryan.com]

Sent: Friday, July 25, 2014 1:36 PM

To: Finguerra-DuCharme, Dyan

Cc: Ferber, Tom J.

Subject: RE: Milk / Samsung

Hello Dyan:

Samsung is still discussing internally a settlement proposal. Just wanted to let you know we are not ignoring the situation.

Diane

Diane J. Mason

Attorney at Law

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From: Finguerra-DuCharme, Dyan [mailto:DFinguerra-DuCharme@PRYORCASHMAN.com]

Sent: Wednesday, July 23, 2014 10:09 AM

To: Mason, Diane J.

Cc: Ferber, Tom J.

Subject: Milk / Samsung

Hi Diane.

Let me know if you have been able to obtain a settlement proposal from Samsung and, if so, if you want to set up a time to talk this week.

I also wanted to send you a link to an example of a playlist that is available on Milk's website:

http://www.milkmade.com/articles/2673-The-Summer-Nights-Playlist-Because-It-s-Summer-Somewhere#.U8_r4lfg4VA

Regards,

Dyan

DYAN FINGUERRA-DUCHARME

PARTNER

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